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Attorneys for Plaintiffs
BAYKEEPER, HUMBOLDT BAYKEEPER, ECOLOGICAL RIGHTS FOUNDATION, and
COMMUNITIES FOR A BETTER ENVIRONMENT

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

BAYKEEPER, HUMBOLDT BAYKEEPER,
ECOLOGICAL RIGHTS FOUNDATION, and
COMMUNITIES FOR A BETTER
ENVIRONMENT,) Case No. C 06-5611 CRB
)
) STIPULATED REQUEST TO
) STAY THE CASE; ~~Proposed~~ ORDER

Plaintiffs,

V.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, STEPHEN L.
JOHNSON, as Administrator of the United States
Environmental Protection Agency, WAYNE
NASTRI, as Regional Administrator of the United
States Environmental Protection Agency, Region 9,

Defendants.

1 WHEREAS, pursuant to stipulation of the Parties, the Court by Order dated December 6,
2 2006 established a briefing schedule on the Plaintiffs' currently pending Motion for Summary
3 Judgment, Defendants' currently pending Counter-Motion for Summary Judgment, and
4 Plaintiffs' to be filed Motion for Leave to File a Second Amended Complaint;

5 WHEREAS, the parties met on October 19, 2006 and again on December 14, 2006 to
6 discuss settlement of this case and made substantial progress toward a settlement agreement at
7 these meetings;

8 WHEREAS, based on the October 19th and December 14 meetings and subsequent
9 discussions, the parties wish to stay all further litigation in this case until March 16, 2007 to
10 allow time for additional settlement discussions, which the parties presently have reason to
11 believe will successfully resolve this case without further litigation;

12 NOW, THEREFORE, the parties have agreed to a stay of all further litigation in this case
13 until March 16, 2007 and request that the Court issue an order as follows:

14 1. All further litigation in this case is stayed until March 16, 2007 and all currently
15 pending case deadlines are vacated, including: the deadlines for the Parties to file their Case
16 Management Conference Statement, for Plaintiffs to file their Motion for Leave to File a Second
17 Amended Complaint and for subsequent briefing on this motion; the February 23, 2007 date for
18 the hearings on Plaintiffs' Motion for Summary Judgment, Defendants' Counter-Motion for
19 Summary Judgment, and Plaintiffs' Motion for Leave to File a Second Amended Complaint; and
20 the Case Management Conference;

21 2. The parties shall submit a status report no later than March 16, 2007 informing the
22 Court as to the progress of settlement discussions; and

23 3. Following receipt of the parties' status report, the Court will reset the Case
24 Management Conference and all filing deadlines set in the Court's December 6, 2006 Order.

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Respectfully submitted,

Dated: January 5, 2007

FOR PLAINTIFFS:

/s/ Christopher Sproul¹
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FOR DEFENDANTS:

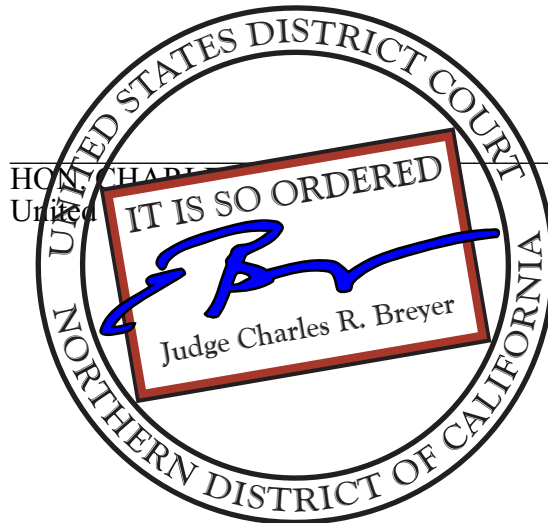
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/s/ Lily N. Chinn
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It is so ordered.

DATED: January 9, 2007



¹As the filing attorney, I, Christopher Sproul, attest that Defendants' counsel finds the contents of this filed document acceptable and has given me permission to electronically file this stipulated motion on Defendants' behalf.